

Docket No.: 114232.109



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PATENT
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Leland SHAPIRO

Serial No.

Filed:



For: INHIBITORS OF SERINE PROTEASE ACTIVITY, METHODS AND COMPOSITIONS
FOR TREATMENT OF HERPES VIRUSES

TRANSMITTAL OF VERIFIED STATEMENT
CLAIMING SMALL ENTITY STATUS

Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231

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Sir:


Transmitted herewith for filing in the above-referenced application is the following:

VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS-

SMALL BUSINESS CONCERN

Respectfully submitted,

Pepper Hamilton LLP


Gilberto M. Villacorta, Ph.D.
Registration No. 34,038

600 Fourteenth Street, N.W.
Washington, D.C. 20005-2004
(202) 220-1200 GMV:cgm
Date: March 3, 2000
DC: #142741 v1 (3251011.WPD)

Applicant or Patentee: Leland Shapiro Inventor's Docket No.: 114232.109
Serial or Patent No.: _____
Filed or Issued: _____
Title: INHIBITORS OF SERINE PROTEASE ACTIVITY HERPES APPLICATION

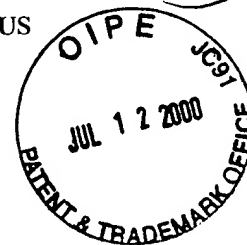
VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) and 1.27(c)) - SMALL BUSINESS CONCERN

I hereby declare that I am

- ☐ the owner of the small business concern identified below:
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

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NAME OF ORGANIZATION: University Technology Corporation

ADDRESS OF ORGANIZATION: 3101 Iris Avenue, Suite 250, Boulder, CO 80301

I hereby declare that the above identified small business concern qualified as a small business concern as defined in 13 CFR 121.3-18, and produced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled INHIBITORS OF SERINE PROTEASE ACTIVITY HERPES APPLICATION by inventor(s) Leland Shapiro as described in

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- ☒ the specification filed herewith.
☐ application Serial No. _____, filed _____
☐ patent no. _____, issued _____

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the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). *NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME _____
ADDRESS _____
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity no longer appropriate. (37 CFR 1.28(b))

I hereby grant the firm of PEPPER HAMILTON LLP the power to insert on this document any further identification, including the application number and filing date, which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office or recordation of this document.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: _____

TITLE IN ORGANIZATION: _____

ADDRESS OF PERSON SIGNING: _____

SIGNATURE: [Signature]

DATE: 2/28/2000

Docket No.: 114232.109

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Leland SHAPIRO

Serial No. 09/518,077

Filed: March 3, 2000



Group Art Unit: 1614

Examiner:

For: INHIBITORS OF SERINE PROTEASE ACTIVITY, METHODS AND COMPOSITIONS
FOR TREATMENT OF HERPES VIRUSES :

RESPONSE TO NOTICE
OF MISSING PARTS OF APPLICATION

Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231

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OIPE/JCWS

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In response to Notice to File Missing Parts of Application dated May 12, 2000, submitted
herewith are the following documents for filing in the above-referenced application:

1. Sequence Listing (paper copy and diskette) and Statement in Support of Filing
and Submissions in Accordance with 37 CFR §§ 1.821-1.825

Also, in response to the Notice to File Missing Parts of Application dated May 12, 2000, Applicant believes that the Notice to File Missing Parts was in error regarding payment of the filing fees. Applicant submitted a Verified Statement Claiming Small Entity Status with the application and gave authorization to charge Deposit Account No. 50-0436. Enclosed is a copy of the stamped Return Receipt Postcard, which indicates that all items listed were received on the date of filing the application. Also enclosed is a copy of the application transmittal giving authorization to charge the Deposit Account, and a copy of the Verified Statement Claiming Small Entity status and transmittal document.

To the extent necessary, Applicants petition for an extension of time under 37 C.F.R. 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 50-0436 and please credit any excess fees to such deposit account.

[X] The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0436. A duplicate copy is enclosed.

[X] Any additional filing fees required under 37 CFR 1.16.

[X] The Commissioner is hereby authorized to charge payment of following fees during the pendency of this application or credit any overpayment to Deposit Account No. 50-0436. A duplicate copy of this sheet is enclosed.

[X] Any patent application processing fees under 37 CFR 1.17.

[X] Any filing fees under 37 CFR 1.16 for presentation of extra claims.

Respectfully submitted,

PERPER HAMILTON LLP


Gianna Julian-Arnold
Registration No. 36,358

GMV:GJA:lrr
600 Fourteenth Street, N.W.
Washington, D.C. 20005-2004
Date: 7/12/00
Facsimile: 202-220-1665
DC: #155118 v1 (3B_%01!.WPD)



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The Patent Office acknowledges the attached patent application and has stamped the date of receipt hereon of the items checked:

Doc. No. 114232.109

Inventor(s): Leland Shapiro

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Title: Inhibitors of Senné Protease Activity Methods & Compositions for Treatment of Herpes Viruses

Total Pages: 74

Total Claims: 33

Sheets of Drawings 2 Formal ☒ Informal ()

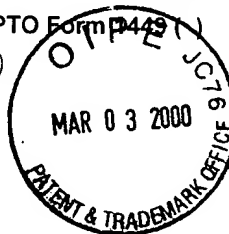
Declaration ☒ Assignment and Fee ()

Fee \$ 946 - Charge to Acct. 50-0436 ☒ Other () Check ()

Claim of Priority () Information Disclosure Statement, PTO Form 2449 ()

Preliminary Amendment ☒ Small Entity Status Dec. ☒

Date: 3/3/00



Initials egm

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UTILITY PATENT APPLICATION
UNDER 37 CFR 1.53(b)



HONORABLE COMMISSIONER OF
PATENTS AND TRADEMARKS
Washington D.C. 20231

Case Docket No. 114232.109

Sir:

Transmitted herewith for filing is the patent application of:

INVENTOR: Leland SHAPIRO
FOR: INHIBITORS OF SERINE PROTEASE ACTIVITY, METHODS AND COMPOSITIONS
FOR TREATMENT OF HERPES VIRUSES

Enclosed are:

- ☒ 74 pages of specification, claims, abstract
- ☒ Declaration & Power of Attorney
- ☒ Priority Claimed to US Provisional Application No. 60/123,167 filed March 5, 1999 and US Provisional Application No. 60/153,942 filed September 3, 1999.
- ☐ Certified copy of _____
- ☒ 2 sheets of formal drawing
- ☒ An assignment of the invention to The Trustees of University Technology Corporation and the assignment recordation fee
- ☒ Return Receipt Postcard
- ☐ Information Disclosure Statement, Form PTO-1449
- ☐ Copies of IDS Citations
- ☒ Verified Statement Claiming Small Entity Status

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The filing fee has been calculated as shown below:

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(1) FOR	(2) NO. FILED	(3) NO. EXTRA	(4) RATE	(5) AMOUNT
TOTAL CLAIMS	39	-20	19	x \$9.00 = \$171.00
INDEPENDENT CLAIMS	13	-3	10	x \$39.00 = 390.00
MULTIPLE DEPENDENT CLAIM(S) (If applicable)			+ \$130.00 =	00.00
			BASIC FEE	\$ 345.00
Total of above calculations =				<u>\$906.00</u>

Docket No.: 114232.109

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[X] Assignment & Recording Fee

\$40.00

TOTAL FEE

\$946.00

[X] Please charge my Deposit Account No. 50-0436 in the amount of \$946.00. A duplicate copy of this sheet is enclosed.

[X] The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0436. A duplicate copy is enclosed.

[X] Any additional filing fees required under 37 CFR 1.16.


[X] The Commissioner is hereby authorized to charge payment of following fees during the pendency of this application or credit any overpayment to Deposit Account No. 50-0436. A duplicate copy of this sheet is enclosed.

[X] Any patent application processing fees under 37 CFR 1.17.

[X] Any filing fees under 37 CFR 1.16 for presentation of extra claims.

Respectfully submitted,

PEPPER, HAMILTON LLP


Gilberto M. Villacorta, Ph.D.
Registration No. 34,038

600 Fourteenth Street, N.W.
Washington, D.C. 20005-2004
(202) 220-1200 GMV:cgm
March 3, 2000
DC: #142739 v1 (324Z011.WPD)

FORMALITIES LETTER

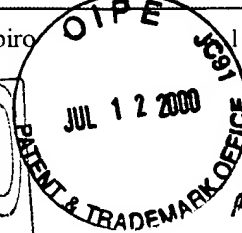
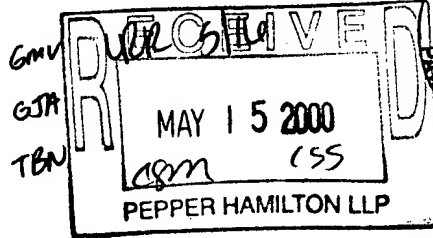


OC00000005112190

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark OfficeAddress: COMMISSIONER OF PATENT AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/518,076	03/03/2000	Leland Shapiro	14232.109

21269
PEPPER HAMILTON
HAMILTON SQUARE
600 FOURTEENTH STREET NW
WASHINGTON, DC 20005



resp due 7/12/00
due 11/2/00

Date Mailed: 05/12/2000

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).


- The statutory basic filing fee is missing.
Applicant must submit \$ 690 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$1122.
 - \$342 for 19 total claims over 20.
 - \$780 for 10 independent claims over 3.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821 - 1.825 for the following reason(s):
 - This application clearly fails to comply with the requirements of 37 CFR 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-1123
- For CRF Submission Help, call (703) 308-4212
- PatentIn Software Program Support
- - For Technical Assistance, call (703) 287-0200
- - To Purchase PatentIn Software, call (703) 306-2600

- The balance due by applicant is \$ 1942.

*A copy of this notice **MUST** be returned with the reply.*

A handwritten signature in dark ink, appearing to read "J. K. ...", is written over a horizontal line.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE